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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

COLEEN MARY DIETRICH,

Plaintiff,

v.

CAROLYN W. COLVIN,  
ACTING COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Hon. Randolph F. Treece  
Civil Action  
No. 5:13-CV-00610-FJS-RFT


**CONSENT ORDER TO REMAND PURSUANT  
TO SENTENCE 4 OF 42 U.S.C. § 405(g)**

This matter having been opened to the Court by RICHARD S. HARTUNIAN United States Attorney for the Northern District of New York, and David L. Brown, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken; and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 12<sup>th</sup> day of December, 2013;

**ORDERED** that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for this further administrative action, and it is further

**ORDERED** that the within matter, be and hereby is, DISMISSED in accord with the decision in *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

  
HON. ~~RANDOLPH F. TREBEE~~ Frederick J Scullin, Jr.  
Senior United States Magistrate Judge  
District

The undersigned hereby consent to the form and entry of the within order.

RICHARD S. HARTUNIAN  
United States Attorney

By: /s/David L. Brown  
David L. Brown  
Special Assistant U.S. Attorney  
Attorneys for Defendant

By: /s/Howard D. Olinsky, Esq.  
Howard D. Olinsky  
Olinsky Law Group  
Attorney for Plaintiff